
BOARD OF SELECTMEN

MEETING MINUTES

1/13/09

The Board of Selectmen met in the Town Hall, Joseph F. Bilotta Meeting Room as scheduled with Thomas Alonzo, Paula Bertram, Steven M. deBettencourt, Dave Matthews present, Thomas Mason and CAFO Kerry Speidel absent. Meeting opened at 7:01 P.M. with the Pledge of Allegiance

PUBLIC DISCUSSION

Jeannie Raboin, 395 Page Street, promoting new program sponsored by the Friends of Lunenburg Public Library, Culture of the Middle East, open and free to the public, family oriented. Starts this Saturday, January 17th from 1:30 to 2:30 PM, with George the storyteller. Information available on the website, local papers. Reviewed the numerous programs that are scheduled to run through February.

Milree Keeling, Chair of the Regionalization Planning Commission submitted the attached draft of estimated operational transition costs and the roles and responsibilities. This document has been given to the Secretary of Education, and they have had several meetings with legislative delegation and hope to see in the governor's budget. Will be submitting to a Special Town Meeting in the fall and town will get the report 45 days prior to a town meeting as they need to have the information as to what the state is going to be funding.

Developing the assessment formula that would be brought to the towns, operational, capital and transportation. Next four meetings of the commission is towards developing the means of assessment, language around the assessment, has yet to be drafted. Creating a long-term formula and adjustments that could be phased out over time. Trying to avoid large jumps in the assessment for any one community. Initially will begin working on the transportation assessment method, will probably take more than two months.

Jane Hall doesn't believe that the language is going to be contentious, as the discussions have gone quite well. Number of ways to look at the benefits and need to balance so there's some equity.

Within next week to two weeks, website will have information and key documents can be found there @ www.alsregion.org. Will try to schedule an agenda item for one of the Selectmen board meeting.

Chair noted that the Regional Assessor was originally scheduled to come before us, but due to a conflict, has been rescheduled to next Tuesday @ 7:15 PM.

Gerry Hyde, 912 Mass Ave., noted the change in his tax assessment appears to be a 10% increase across the board. Question is what happened to Prop 2 ½?

Chair noted that 2 ½ doesn't apply to individual properties, it applies to what the town can generate in revenue tax. Properties were revaluated.

Thomas Mulholland, 2 Leominster Road, protesting increase in assessment of recreational property on Lake Shirley. Questioned 07 assessment, fiscal or calendar. Property sales have dropped, his assessment increased by \$20,000 on the land and can find no basis. Access to the land is a problem, dirt road, narrow, fire and emergency vehicles can't get into it. Question how accurate the assessment is, did they see the property, the sample of the sales values, what year and finally if recreational properties have been subjected to a more severe scrutiny than other properties in town. Do not feel his assessment cannot be supported by the facts and has provided his list to the Assessors.

Assessments are a year or two previous, will let the Assessor's address this next week for an explanation.

Brian Gaffney, 79 Beachview Road questioned Prop 2 ½ overrides, taxes have increased about \$100 / yr. Questioned the 20 year bond that we're paying for the buildings that have been built.

ANNOUNCEMENTS

Chair announced the DPU Public Hearings that have been scheduled; City of Fitchburg will be on January 27th, 4:00 PM to 10:00 PM at the Memorial Middle School, Lunenburg will be on February 3rd, from 4:00 PM to 10:00 PM at the Lunenburg High School Auditorium. Also, legislative breakfast Friday, January 30th, 8:00 – 9:00 AM at the Lunenburg Public Library, RSVP to Amy Sadkin by January 23rd.

APPOINTMENTS

1. 7:35 PM – Patrick Mehr, Lexington Electric Utility Committee – presented the attached power point presentation.

Chair would like to invite Patrick back at some future time and would like to have done in a larger venue.

Discussed a regional solution and economic feasibility which would be dependant upon the communities. This bill H3319, would allow one entity to serve a number of municipalities. The franchise that exists for Utilit is given to one town, with the passage of this bill the franchise disappears and the town(s) could decide to do whatever they want.

Board plans on making a decision on this hopefully within the next few weeks.

2. Senator Jennifer Flanagan, Representative Jennifer Benson – Local Aid – Jen Benson was present, Senator Flanagan absent due to family situation and assistant not able to attend due to illness.

Jen informed the board that with regards to this fiscal year tomorrow is the vote on expanding 9C authority to the Governor. Still waiting for guidance from the Governor as to what he would do if given authority. Looking at least 1 billion dollar deficit for this current year. Concern is that time is of the essence, any idea when we'll know the impact of local aid to the communities.

Jen's vote is to grant the Governor the authority as time is of the essence, important to make the cuts known in order to get this going and to move on. Timeline as to when the cuts will occur has not been determined. Concern is that if this vote doesn't pass and the legislature decides to go through the process will take an additional couple of months, moving into next fiscal year is that we need to have good and realistic revenue projections and make sure that the budget that comes out of the legislature is balanced. Promise to the board is that she will support a balanced budget.

Capping the amount of the cuts and what will be allowed to be cut out of local aid will be addressed by the legislature. In 2003 the 9C cuts entailed grant lines, social services, every branch of government, district attorney's offices, cuts were widespread. A month ago it was projected that 750 million needed to be cut and now we're told it's a billion dollars at this point.

Governor is looking at MassPort, MassHwy, the pension reform. Jen believes that local aid is the last thing, that should be last place to cut, unfortunately not the only voice in legislature and hope that the Governor will make the necessary cuts and protect us as much as possible.

Legislature should look at using the rainy day fund for anticipated cuts this year, so that we can focus the necessary cuts for next fiscal year. We have already trimmed our budgets and this year we finally got above 2002 numbers, can't run a town where we go backwards in the middle of the year. Hope to protect local aid for this year and minimize for next year.

Board expressed their appreciation for Jen's service to the town and for her assistance in getting the state involved with our situation and Unifund, also to Senator Flanagan as she was representing our concerns before she was actually representing the town. Concern over the cuts to local aid and that they will include a limit to what these cuts may be. Noted that losing one employee for a layoff doesn't help as we are still responsible for the unemployment benefits attributed to the layoffs.

Regarding the ice storm and FEMA reimbursement any discussions on the state level for assistance to effected towns? Expecting around the \$500,000 range just for the town's cost. Historically the state has split the 25%, with 12.5% by the state and 12.5% by the towns. Senator Flanagan and Representative Benson are supporting filing legislation requests for the state to fund the full 25%. Urge everyone to file complaints attend the public hearings, investigations have begun and the Attorney General office has been very interested in this. Noted the lack of accountability even by the Department of Public Utilities and as such an external investigation will also be conducted.

Discussion on affordable housing and the 10% goal, totally changing the town with the volumes, mobile homes don't count towards our goal, if they're not affordable homes, don't know what is. If we could get these to count towards our affordable housing we'd be much closer to our goal. Per Jen, this is again before the legislature and is a huge issue to many towns and should count towards affordable housing stock.

CURRENT BUSINESS

1. CAFO Updates – None.

2. Minutes - Board of Selectmen for 8/21/07, 12/9/08, 12/23/08, 12/29/08 and 1/6/09 reviewed and signed.

Warrants - #37 09, 2/13/09 - \$183,714.66 reviewed and signed.

Contracts - none

3. Action File Issues – The Board of Selectmen voted to accept the gift of \$200 from Richard and MaryEllen Letarte to establish a "citizens relief fund" to assist in the relief of storm expenditures be it personally or municipally. Funds donated into the fund to defray the cost of the town's expenses and/or assisting people in financial problems that were worsened by loss of food, damages to property etc. Board voted unanimously to accept the gift, Dave would like to see the expenditures be geared more towards individuals.

OLD BUSINESS

1. Committee Updates -

- School Superintendent will be giving her recommended budget at tomorrow's televised School Committee meeting.
- Paula, reported on the Planning Board meeting, Tri-Town at a standstill and does not project moving forward until the spring as looking for more sources of revenue. Discussion on the Eagle Heights, the purchase price was a concern, the construction timeline and cost benefit analysis should be done. Noted need for this type of project. Meeting on Thursday to finalize the open space. Director will be investigating a joint 43D project. Stone Farm inquiry has been made to change from over 55 to an open community. Lena Lane as-built has been submitted and are being reviewed. Install on Mass Ave. telecommunication

tower has been completed. Director brought forward the budget cuts and the impacts to the office and loss of personnel. Master Plan, outlying districts and rezoning of those districts since they are areas of critical concern in the open space presentation. Discussion on requiring underground utilities in the future for any new developments.

- Dave questioned Lunenburg Estates (Mass. Ave.) connection fee that was refunded and per Paula, this will be discussed at the Sewer Commission meeting as the project has received an extension from the state.
- Tom A., Finance Committee is waiting for the final numbers from the storm. CAFO's budget will be presented to this board; date of actual presentation will be determined at next week's meeting, will be scheduled for a Thursday with a joint meeting of the Fincom.
- Dave Capital Planning met and is still gathering information.

2. Whalom 40B – Lunenburg Estates – only one response received from the board, Chair will be writing the letter, hope to have completed by next week or the week after.

3. Open Space Committee Goals and Objectives – per attached comments, which have been incorporated into the document. Concern is how to fund getting there, has again been discussed on adopting the Community Preservation Act. Very informative presentation by the Open Space Committee, identify underutilized land that could be put up for development and limit but generate revenue. Working with the property owners of Chapter land and see if we can't partner up to preserve open space.

Knowing where all the town owned lands are and cataloguing them is critical, town needs to have the answers to these questions.

Chair would entertain a vote to sign on to the Open Space Committee Goals and Objectives, Paula so moved with comments as to why it's such a difficult task to identify the town owned parcels and would urge town to act on this sooner rather than later. In looking at Open Space in other communities that have made amazing strides in preservation of open space, Steve seconded motion, voted unanimously. Would also encourage the open space committee and commended the job that they've done to this point, this captures the spirit of the town and the open feel.

4. Bring Your Own Bottle (BYOB) Regulation – Paula questioned whether this has been reviewed by the Police Chief and would recommend forwarding for his review and comments. Voiced concern over #3d, no table service; this language prohibits those establishments with no table service, such as Village Pizza, Trudies Treats, question what table service means, would like clarification, need definition that excludes the "fast food" type establishments but includes establishments such as Trudies Treats.

Penalties for violation to be a stepped violation, discuss with police chief, board would like to have violations included in the regulations. Question Chief whether the establishment should have someone that is TIPS certified, also questioned on a situation like Center Pizza, beer and wine liquor license would they be able to serve. Laura informed the board that they would not be able to have a permit as they have a package store license.

5. Chapter 61B – Town's Right of First Refusal – 90 West Townsend Road – no action

6. Liquor License – non-renewal – Laura informed the board that Brocap Inc., d/b/a Lake Lodge, 356 Hollis Road failed to submit their license renewal for 2009 and therefore will have to be treated as a new license should the property owner want to renew. As license was never renewed, no action to be taken as establishment never applied.

APPOINTMENTS/REAPPOINTMENTS

Vacancies exist on the following boards/committees: Fence Viewer, Historical Commission, Housing Partnership, Montachusett Joint Transportation, Personnel Committee and Pound Keeper.

EXECUTIVE SESSION

Being no further business board voted unanimously to adjourn Regular Session at 9:42 P.M.

Respectfully submitted,

Laura Williams, Chief Administrative Assistant
Board of Selectmen

